

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 158 OF 2015

IN

STAMP NUMBER MAIN NO. 2084 OF 2015

THE SAHAKAR URBAN CREDIT
CO-OPERATIVE SOCIETY LTD THROUGH
ITS DULY AUTHORIZED REP. MR. VIJAY
PARAB.

... Applicant

Versus

MR. NILESH NAIK AND ANR.,

... Respondents

Mr. S. G. Bhobe and Ms. N. Pimenta, Advocates for the applicant.
None present for the respondent no.1.

Coram:- K. L. WADANE, J.

Date:- 14th September, 2015

P.C.

Heard Mr. S. G. Bhobe, learned Advocate appearing for the applicant.

2. Mr. Bhobe, learned Advocate appearing for the applicant/original complainant has argued that the accused has not disputed the signature on the cheque issued to the complainant but has disputed the loan documents, therefore, according to Mr. Bhobe, the learned Judge has not considered this aspect while acquitting the accused.

3. I have gone through the reasons recorded by the learned JMFC, while acquitting the respondent no.1 and I am of the opinion that there are debatable points and there are good grounds for appeal, therefore opportunity has to be given to the applicant/complainant to

reexamine the evidence available on record. Therefore, without going deeply into the merits of the case, I am of the opinion that permission has to be granted to present the appeal, therefore, application is allowed and the applicant is permitted to present the appeal.

4. Application stands disposed of.

K. L. WADANE, J.

vn